

## Federal Communications Commission

## § 54.725

with the requirement for service of documents set forth in §1.47 of this chapter.

(d) If a request for review filed pursuant to §54.720(a) through (c) alleges prohibitive conduct on the part of a third party, such request for review shall be served on the third party consistent with the requirement for service of documents set forth in §1.47 of this chapter. The third party may file a response to the request for review. Any response filed by the third party shall adhere to the time period for filing replies set forth in §1.45 of this chapter and the requirement for service of documents set forth in §1.47 of this chapter.

[63 FR 70578, Dec. 21, 1998]

EFFECTIVE DATE NOTE: At 63 FR 70578, Dec. 21, 1998, §54.721 was added. The section contains modified information collection requirements and will not become effective until approved by the Office of Management and Budget.

### § 54.722 Review by the Common Carrier Bureau or the Commission.

(a) Requests for review of Administrator decisions that are submitted to the Federal Communications Commission shall be considered and acted upon by the Common Carrier; provided, however, that requests for review that raise novel questions of fact, law or policy shall be considered by the full Commission.

(b) An affected party may seek review of a decision issued under delegated authority by the Common Carrier Bureau pursuant to the rules set forth in part 1 of this chapter.

[63 FR 70578, Dec. 21, 1998]

### § 54.723 Standard of review.

(a) The Common Carrier Bureau shall conduct *de novo* review of requests for review of decisions issued by the Administrator.

(b) The Federal Communications Commission shall conduct *de novo* review of requests for review of decisions by the Administrator that involve novel questions of fact, law, or policy; provided, however, that the Commission shall not conduct *de novo* review of

decisions issued by the Common Carrier Bureau under delegated authority.

[63 FR 70578, Dec. 21, 1998]

### § 54.724 Time periods for Commission approval of Administrator decisions.

(a) The Common Carrier Bureau shall, within ninety (90) days, take action in response to a request for review of an Administrator decision that is properly before it. The Common Carrier Bureau may extend the time period for taking action on a request for review of an Administrator decision for a period of up to ninety days. The Commission may also, at any time, extend the time period for taking action on a request for review of an Administrator decision pending before the Common Carrier Bureau.

(b) The Commission shall issue a written decision in response to a request for review of an Administrator decision that involves novel questions of fact, law or policy within ninety (90) days. The Commission may extend the time period for taking action on the request for review of an Administrator decision. The Common Carrier Bureau also may extend the time period for taking action on a request for review of an Administrator decision for a period of up to ninety days.

[65 FR 12135, Mar. 8, 2000, as amended at 65 FR 34408, May 30, 2000]

### § 54.725 Universal service disbursements during pendency of a request for review and Administrator decision.

(a) When a party has sought review of an Administrator decision under §54.719(a) through (c) in connection with the schools and libraries support mechanism or the rural health care support mechanism, the Administrator shall not reimburse a service provider for the provision of discounted services until a final decision has been issued either by the Administrator or by the Federal Communications Commission; provided, however, that the Administrator may disburse funds for any amount of support that is not the subject of an appeal.

(b) When a party has sought review of an Administrator decision under §54.719(a) through (c) in connection